

09-04-01

A
CD-Rom

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 26564-2
First Inventor Eric L. Boyd
Title Method And System For Probing A Network
Express Mail Label No. EJ 210 144 720 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 45]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☒ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Unsigned Declaration and Power of Attorney; Transmittal Of Computer Program Appendix

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____ Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label ☐ Correspondence address below
(Insert Customer No. or Attach bar code label here)

Name	Douglas A. Mullen		
	Dickinson Wright PLLC		
Address	1901 L. Street, NW Suite 800		
City	Washington, D.C.	State	Zip Code 20036
Country	USA	Telephone (202) 457-0160	Fax (202) 659-1559

Name (Print/Type)	Douglas A. Mullen	Registration No. (Attorney/Agent)	38,569
Signature	<i>Douglas A. Mullen</i>	Date	August 31, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number

Filing Date

First Named Inventor

Eric L. Boyd

Examiner Name

Group Art Unit

Attorney Docket No.

26564-2

TOTAL AMOUNT OF PAYMENT

\$355.00

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

04-1061

Deposit
Account
Name

Dickinson Wright PLLC

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR §§ 1.16 and 1.17

- ☒
- Applicant claims small entity status.
-
- See 37 CFR § 1.27

- 2.
- ☒
- Payment Enclosed:

- ☒
- Check
- ☐
- Credit card
- ☐
- Money
-
- Order
- ☐
- Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					\$355.00

2. EXTRA CLAIM FEES

Extra Claims		Fee from below	Fee Paid
Total Claims			
18	-20** = 0	X	0.00
Independent Claims	3 - 3** = 0	X	0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non - English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
126	180	126	180	Submission of Information Disclosure Statement	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Douglas A. Mullen

Registration No.
(Attorney/Agent)

38,569

Telephone

(202) 457-0160

Signature

Date

August 31, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Eric L. Boyd et al.)
)
Group Art Unit:)
)
Examiner:)
)
Title: Method And System For)
Probing A Network)
)
Attorney Docket: 26564-2)

TRANSMITTAL OF COMPUTER
PROGRAM LISTING APPENDIX

Commissioner Of Patents And Trademarks
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §1.96(c), Applicants submit herewith a compact disc containing the "Computer Program Listing Appendix" for the above-identified patent application. An identical, duplicate copy of the compact disc is also being submitted.

The specifications of the compact disc are as follows:

1. Machine Format: IBM PC/XT/AT, or compatibles; and
2. Operating System Compatibility: MS-Windows or Unix.

The following is a list of the files contained on each disc including their names, size in bytes, and dates of creation:

<u>File Name</u>	<u>Size (in bytes)</u>	<u>Date of Creation</u>
fez_probester.cgi.c	4305	August 30, 2001
fez_probester.html	15484	August 30, 2001
fez_probester_ae.c	17133	August 30, 2001
fez_probester_ae.h	557	August 30, 2001
fez_probester_common.h	728	August 30, 2001
fez_probester_config.c	4797	August 30, 2001
fez_probester_config.h	2002	August 30, 2001
fez_probester_de.cgi.c	14270	August 30, 2001
fez_probester_example.html	1553	August 30, 2001
fez_probester_test_ae.c	2444	August 30, 2001
fez_probester_time.c	2369	August 30, 2001
fez_probester_time.h	531	August 30, 2001
handle_signal.c	724	August 30, 2001
pbc.c	17543	August 30, 2001

In re Appln. of Eric L. Boyd et al.

<u>File Name</u>	<u>Size (in bytes)</u>	<u>Date of Creation</u>
pbm_multi.c	20532	August 30, 2001
pbm_multi.h	1761	August 30, 2001
pbm_util.c	29385	August 30, 2001
pbm_util.h	3621	August 30, 2001
probester.c	25766	August 30, 2001
probester_calculations.c	3960	August 30, 2001
probester_calculations.h	1464	August 30, 2001
probester_dae.c	26022	August 30, 2001
probester_dae.h	1254	August 30, 2001
probester_dde.pl	1818	August 30, 2001
probester_dde_gen.cgi*	14475	August 30, 2001
probester_dde_submit.cgi*	26139	August 30, 2001
probester_util.c	16627	August 30, 2001
probester_util.h	3629	August 30, 2001
probesterdb.c	10367	August 30, 2001
probesterdb.h	2601	August 30, 2001
string_utilities.c	1565	August 30, 2001
string_utilities.h	449	August 30, 2001
time_limit.c	1231	August 30, 2001
time_limit.h	892	August 30, 2001

Respectfully submitted,

DICKINSON WRIGHT PLLC
Attorneys for Applicants

Date: August 30, 2001

By: Douglas A. Mullen

Douglas A. Mullen
Reg. No. 38,569

1901 L. Street, NW
Suite 800
Washington, D.C. 20036
(202) 457-0160

DAM/gmp
Enclosures

BLOOMFIELD 26564-2 449668